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FACSIMILE COVER SHEET

TO: Exa. Todd D. Ingberg

FROM: Joseph E. Chovanes, Esq.

DATE: 11/9/2004

RE: Ser. No. 09/737,494

Enclosed please find:

- 1) PTO Transmittal Sheet
- 2) PTO Fee Transmittal Sheet
- 3) PTO - 2038
- 4) Amendment and Response

Total number of pages, including this sheet: 52

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*Received in CFC
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PTO/BB/21 (09-04)


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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/737,494
	Filing Date	12/15/2000
	First Named Inventor	Cyr. Vincent R.
	Art Unit	2124
	Examiner Name	Todd D. Ingberg
	Attorney Docket Number	78-00
Total Number of Pages in This Submission		51

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <div style="border: 1px solid black; padding: 2px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO -2038

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Joseph E. Chovanes, Esq.		
Signature			
Printed name	Joseph E. Chovanes		
Date	11-09-04	Reg. No.	33,481

CERTIFICATE OF TRANSMISSION/MAILING	
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Signature	
Typed or printed name	Joseph E. Chovanes
Date	11-09-04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)		188	
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Complete if Known	
Application Number	08/737,494
Filing Date	December 15, 2000
First Named Inventor	Cyr, Vincent R.
Examiner Name	Todd D. Ingberg
Art Unit	2124
Attorney Docket No.	78-00

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card
<input type="checkbox"/> Deposit Account	<input type="checkbox"/> Money Order
<input type="checkbox"/> Other	<input type="checkbox"/> None
Deposit Account Number: _____ Deposit Account Name: _____	
The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	

FEE CALCULATION																													
1. BASIC FILING FEE <table border="1" style="width: 100%;"> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> <tr> <td>1001 700</td> <td>2001 355</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 350</td> <td>2002 175</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 550</td> <td>2003 275</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 790</td> <td>2004 395</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005 180</td> <td>2005 90</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1)</td> <td>(\$ 0)</td> </tr> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 700	2001 355	Utility filing fee		1002 350	2002 175	Design filing fee		1003 550	2003 275	Plant filing fee		1004 790	2004 395	Reissue filing fee		1005 180	2005 90	Provisional filing fee		SUBTOTAL (1)			(\$ 0)
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Chovanes</td> <td>Registration No. (Attorney/Agent)</td> <td>33481</td> </tr> <tr> <td>Signature</td> <td><i>[Signature]</i></td> <td>Telephone</td> <td>610-648-3994</td> </tr> <tr> <td></td> <td></td> <td>Date</td> <td>11-09-04</td> </tr> </table> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.</p> <p style="text-align: center;">If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.</p>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	2053 130	Non-English specification		1812 2,820	1812 2,520	For filing a request for <i>ex parte</i> reexamination		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month		1252 430	2252 215	Extension for reply within second month		1203 800	2203 490	Extension for reply within third month		1254 1,830	2254 765	Extension for reply within fourth month		1255 2,080	2255 1,040	Extension for reply within fifth month		1401 340	2401 170	Notice of Appeal		1402 340	2402 170	Filing a brief in support of an appeal		1403 300	2403 150	Request for oral hearing		1451 1,610	1451 1,610	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,370	2453 685	Petition to revive - unintentional		1601 1,370	2501 685	Utility issue fee (or reissue)		1602 490	2502 245	Design issue fee		1603 860	2503 330	Plant issue fee		1480 130	1480 130	Petitions to the Commissioner		1807 50	1807 50	Processing fee under 37 CFR 1.17(q)		1808 180	1808 180	Submission of Information Disclosure Stmt		8021 40	8021 40	Recording each patent assignment per property (limits number of properties)		1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(b))		1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))		1801 780	2801 395	Request for Continued Examination (RCE)		1802 900	1802 900	Request for expedited examination of a design application		Other fee (specify): _____				SUBTOTAL (3)			(\$ 0)	SUBMITTED BY		(Complete if applicable)		Name (Print/Type)	Joseph E. 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